UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,882	10/31/2003	Tai-Hsien Lee	TOP 338	8982

23995   7590   03/18/2008
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EXAMINER
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ART UNIT	PAPER NUMBER
2174	

MAIL DATE	DELIVERY MODE
03/18/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>13 December 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-22</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-22</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>31 October 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

Detailed Action

1. The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Response to Amendment

Claims 1, 2, 4, 6, 9, 10, 12, 15 and 16 have been amended.

Claims 6 and 14 have been cancelled.

Claims 17-22 are new.

Claims 1-22 are now pending.

2. Applicant's arguments filed 13 December 2007 have been fully considered but

they are not persuasive.

i.) Applicant argues **Ito does not teach 2D images arranged in the sequence**

compose a 360 degree scene. This argument is not persuasive as *Ito does teach 2D*

images arranged in the sequence compose a 360 degree scene. (Ito [0015-0016, 0053-

0054] arrangement of menu options interpreted to mean 2D images are displayed on

the screen as a room structure whereby two or more menus are displayed on the floor,

head lining, and or walls of a pentagonal room where a user can navigate through a

plurality of pentagonal rooms is interpreted to mean a 360° scene).

ii.) Applicant amended claims to explicitly **state <u>2D</u> images rather than <u>3D</u>**.

Since 3D images <u>are</u> 2D images displayed to give the illusion of 3D the previous

rejection is still maintained.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3.   Newly Added Claims 17-22 are rejected under 35 U.S.C. 112, first paragraph, as

failing to comply with the enablement requirement. The claim(s) contains subject matter

which was not described in the specification in such a way as to enable one skilled in

the art to which it pertains, or with which it is most nearly connected, to make and/or use

the invention. As per claims 17 – 19, nowhere in the specification is *selecting* a group

addressed. As per claims 20-22, nowhere in the specification is *selecting* from among a

first group and *selecting* from a second group addressed.

4. Claims 1,3,4,5,7,8,9, 11, 12, 13, 15, 17-22 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Mou ("Mou"; US #6690395) in view of Saito("Saito"; JP2002-

288690) and further in view of Ito ("Ito", JP2002-163103A)

As per independent claim 1, Mou teaches a system of menu browsing for a mobile

phone, comprising:

a display device (Mou, col 1 par3 where monitor of cell phone is interpreted to mean a

display device); a data storage device (Mou, fig 8 and col1, par. 4 where stored in bmp

format is interpreted to mean a data storage device) having a plurality of 2D images

arranged in sequence (Mou fig 6 and col2 item (8) where the graphics interpreted to

mean 2D images are named in hexadecimal 4-digit by following the sequence is

interpreted to mean that the images are arranged in sequence) the 2D images

corresponding to menu options of the mobile phone;(Mou fig .8, teaches the 2D images

are corresponding to the menu options) wherein the 2D images arranged in the

sequence compose a 360°-scene; Mou does not teach wherein the 2D images arranged

in the sequence compose a 360° scene. However Ito does teach this[0015-0016, 0053-

0054] arrangement of menu options interpreted to mean 2D images are displayed on

the screen as a room structure whereby two or more menus are displayed on the floor,

head lining, and or walls of a pentagonal room where a user can navigate through a

plurality of pentagonal rooms is interpreted to mean a 360° scene). Therefore, at the

time of the invention it would have been obvious to a person of ordinary skill in the art to

use Ito's arrangement in Mou and Saito's system. The motivation would have been

easier visualization of menu options (Ito, par. 0082)

a signal reception device to receive a signal; and a processor adapted to perform menu

browsing operations, (Mou, col1 par 4 where displayed in LCD of the cellular phone

using a clipboard technique is interpreted to mean there is a processor adapted to

perform the menu browsing) including: designating one of the 2D images; displaying a

predetermined number of 2D images after the designated 2D image in order on the

display device if the signal received by the signal reception device indicates a first

direction; (Mou, fig 8 shows the predetermined number of 2D images arranged in a

sequence between options and the abstract where the user browsing from images'

entering from left or right is interpreted to mean a signal is received that designates

which direction the user is browsing allowing for a first direction). and displaying the

predetermined number of 2D images (Mou, fig 8 shows the predetermined number of

2D images arranged in a sequence between options) before the designated 2D image

in order on the display device if the signal received by the signal reception device

indicates a second direction (Mou, figure 8 teaches bidirectional menu browsing with

bidirectional arrows between 2D graphics and in the abstract where icons entering from

the left or right into the central area is interpreted to mean the menu is capable of bi-

directional traversal). Furthermore Mou does not expressly disclose the use of 3D

images (clarified from argument ii Applicant amended claims to explicitly state 2D

images rather than 3D. Since 3D images are 2D images displayed to give the illusion of

3D the previous rejection is still maintained.)

However, Saito does teach this (Saito, paragraph 0050 where the three

dimensional image is made applicable to selection and paragraph 7.effectiveness where

three dimensional arrangement of the different 2D images implies a three-dimensional

image view). Therefore, at the time of the invention it would have been obvious to a

person of ordinary skill in the art to use Saito's three-dimensional images in Mou's

system. The motivation would have been to make the images more user friendly (Saito,

paragraph 0057, 0205).

As per claim 3, Mou as modified teaches the system of menu browsing for a mobile

phone as claimed in claim 1 wherein the sequence is a circular sequence (Mou fig 8

where the images are arranged in a circular sequence).

As per claim 4, Mou as modified teaches the system of menu browsing for a mobile

phone as claimed in claim 1, wherein the processor further displays an animated image

corresponding to the most recently displayed 2D image on the display device (Mou fig 8

where the animation option such as phone book corresponds to the most recently

browsed 2D image is interpreted to mean that the animation corresponds to the

preceding image within the figure).

As per claim 5, Mou as modified teaches the system of menu browsing for a mobile

phone as claimed in claim 4 wherein the processor stops displaying the animated image

if another signal is received by the signal reception device (Mou, fig 8 and abstract

where the existing animation option is reduced and quits is interpreted to mean the

processor stops displaying the animated image when a user is browsing to the left or

right of that option).

As per claim 7, Mou as modified teaches the system of menu browsing for a mobile

phone as claimed in claim 1, wherein the 2D images are images with depth of field

(Saito. Fig 1 and 33 disclose 2D images rendered as a three-dimensional image on a

cell phone display. Moreover, a displayed three-dimensional object inherently has depth

of field.)

As per claim 8, Mou as modified teaches the system of menu browsing for a mobile phone as claimed in claim 1 wherein the display device is the screen of the mobile phone (Mou, col 1 par3 where monitor of cell phone is interpreted to mean a display device).

As per independent claim 9, Mou teaches a method of menu browsing for a mobile phone, comprising the steps of: a. providing a plurality of 2D images arranged in sequence, the 2D images corresponding to menu options of the mobile phone (Mou, fig 8 where the 2D images are arranged in a sequence and correspond to a menu option); wherein the 2D images arranged in the sequence compose a 360°-scene; Mou does not teach wherein the 2D images arranged in the sequence compose a 360° scene. However Ito does teach this[0015-0016, 0053-0054] arrangement of menu options interpreted to mean 2D images are displayed on the screen as a room structure whereby two or more menus are displayed on the floor, head lining, and or walls of a pentagonal room where a user can navigate through a plurality of pentagonal rooms is interpreted to mean a 360° scene). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Ito's arrangement in Mou and Saito's system. The motivation would have been easier visualization of menu options (Ito, par. 0082)

b. designating one of the 2D images, and displaying the designated 2D images on a screen of the mobile phone(Mou fig 8 and Mou; col 1 par3 where monitor of cell phone is interpreted to mean a screen of a mobile phone); c. receiving a signal (Mou abstract where user browsing from images entering from left or right is interpreted to mean a

signal is received that designates which direction the user is browsing) ; d. displaying a

predetermined number of 2D images after the designated 2D image in order on the

display device if the signal indicates a first direction; (Mou fig 8 where the bi-directional

arrows indicate the display is capable of a first direction and the 2D images between

options of the circular sequence indicate a predetermined number of 2D images) and e.

displaying the predetermined number of 2D images (Mou fig 8 where there are a certain

number of images between options) before the designated 2D image in order on the

display device if the signal indicates a second direction (Mou, figure 8 and abstract

where icons entering from the left or right into the central area is interpreted to mean the

menu may be bi- directionally browsed). Furthermore Mou does not expressly disclose

the use of 3D images (clarified from argument ii Applicant amended claims to explicitly

state 2D images rather than 3D. Since 3D images are 2D images displayed to give the

illusion of 3D the previous rejection is still maintained.)

However, Saito does teach this (Saito, paragraph 0050 where the three

dimensional image is made applicable to selection and paragraph 7.effectiveness where

three dimensional arrangement of the different images implies a three-dimensional

image view). Therefore, at the time of the invention it would have been obvious to a

person of ordinary skill in the art to use Saito's three-dimensional images in Mou's

system. The motivation would have been to make the images more user friendly (Saito,

paragraph 0057, 0205).

As per claim 11, Mou as modified teaches the method of menu browsing for a mobile phone as claimed in claim 9 wherein the sequence is a circular sequence (Mou, fig 8 where the images are arranged in a circular sequence).

As per claim 12, Mou as modified teaches the method of menu browsing for a mobile phone as claimed in claim 9 further comprising the step of displaying an animated image corresponding to the most recently displayed 2D image (Mou fig 8 shows an animated option corresponding to the preceding 2D image is displayed). Mou does not explicitly teach this animated option is three-dimensional even though inherently an animated option gives the effect of three-dimensions (clarified from argument ii Applicant amended claims to explicitly state 2D images rather than 3D. Since 3D images are 2D images displayed to give the illusion of 3D the previous rejection is still maintained.)

However, Saito does explicitly teach the 3D animation (Saito, paragraph 7. effectiveness the animation is contained in the image implies the three-dimensional image animation). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Saito's three-dimensional animation in Mou's system. The motivation would have been to make the images more user friendly (Saito, paragraph 0205).

As per claim 13, Mou as modified teaches the method of menu browsing for a mobile phone as claimed in Claim 12 further comprising the step of stopping display of the animated image if another signal is received. (Mou, fig 8 and abstract where the existing

animation option is reduced and quits is interpreted to mean the processor stops

displaying the animated image when a user is browsing to the left or right of that option).

As per claim 15, Mou as modified teaches the method of menu browsing for a mobile

phone as claimed in claim 9, wherein the 2D images are images with depth of field.

(Saito, Figs 1, 33 disclose 2D images rendered as a three-dimensional image displayed

On a cell phone. Moreover, a displayed three-dimensional object inherently has depth of

field.)

As per Claim 17, Mou as modified teaches the method of menu browsing as claimed in

claim 9, wherein:

said step a includes selecting a first group of 2D images that correspond to

respective menu options, and a second group of 2D images that are

transitional images, and positioning the transitional images between

the 2D images of the first group in the sequence, (Mou fig. 8 and col 2 par. 18-19 a

graphic definition file is opened then the text of each graphic is copied to its

corresponding item in the icon.h file is interpreted to mean selecting a first group of 2D

images that correspond to respective menu options, and a second group of 2D images

that are transitional images, and positioning the transitional images between

the 2D images of the first group in the sequence as is illustrated in figure 8)

said step b includes designating the one 2D image from among the 2D

images of the first group (Mou fig. 8 shows one 2D image is designated from among the

2D images of the first group),

said step d includes displaying in order in the first direction all of the

transitional images that are between the designated 2D image and a

first next 2D image of the first group, in the sequence in the first

direction, the last of the predetermined number of 2D images of step

d being said first next 2D image of the first group(Mou fig 8 where the bi-directional

arrows indicate the display is capable of a first direction and the images between

options of the circular sequence indicate a predetermined number of 2D images), and

said step e includes displaying in order in the second direction all of the

transitional images between the designated 2D image and a second

next 2D image of the first group, in the sequence in the second direction, the last of the

predetermined number of 2D images of step (Mou, figure 8 and abstract where icons

entering from the left or right into the central area is interpreted to mean the menu may

be bi- directionally browsed).

e being said second next 2D image of the first group (Mou figure 8 shows said second

next 2D image of the first group).

As per claim 18, Mou as modified teaches the method as claimed in claim 17, wherein

the sequence is a circular sequence (Mou, fig 8 where the images are arranged in a

circular sequence).

As per claim 19, Mou as modified teaches the method as claimed in claim 18, wherein

said step a further comprises positioning respective pluralities of the transitional

images between the successive first group 2D images of the sequence (Mou fig. 8

shows positioning respective pluralities of the transitional images between the

successive first group 2D images of the sequence).

As per claim 20, Mou as modified teaches the system of menu browsing for a mobile

phone as claimed in claim 1, wherein the designated 2D image is selected

from among a first group of the 2D images corresponding to

respective ones of the menu options, and a second group of the 2D

images are transitional images in the sequence, positioned between

the 2D images of the first group, and the 2D images of the

predetermined number of 2D images include all of the transitional

images between successive ones of the first group of 2D images,

such that when one of the first group of 2D images is designated.

and subsequently the predetermined number of 2D images are

displayed in sequence, the last of the predetermined number of 2D

images is another one of the first group of 2D images (Mou fig. 8 and col. 2 par. 18-19

a graphic definition file is opened then the text of each graphic is copied to its

corresponding item in the icon.h file is interpreted to mean, wherein the designated 2D

image is selected from among a first group of the 2D images corresponding to

respective ones of the menu options, and a second group of the 2D images are

transitional images in the sequence, positioned between the 2D images of the first

group, and the 2D images of the predetermined number of 2D images include all of the

transitional images between successive ones of the first group of 2D images,

such that when one of the first group of 2D images is designated. and subsequently the

predetermined number of 2D images are displayed in sequence, the last of the

predetermined number of 2D images is another one of the first group of 2D image as is

illustrated in figure 8)

.As per claim 21, Mou as modified teaches the system of menu browsing for a mobile

phone, as claimed in claim 20, wherein the sequence is a circular sequence (Mou, fig 8

where the images are arranged in a circular sequence).

As per claim 22, Mou as modified teaches the system of menu browsing for a mobile

phone as claimed in claim 21, wherein the number of transitional images

between successive ones of the first group of 2D images is a plural

number (Mou fig 8 shows the number of transitional images between successive ones

of the first group of 2D images is a plural number).

5. Claims 2, 10, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Mou, Saito and Ito as applied to claim 1 above, and further in view of Karkkainnen

("Karkkainnen", US6600936).

As per claim 2, Mou as modified teaches the system of menu browsing for a mobile

phone as claimed in claim 1 wherein the processor is further adapted to performing a

function of the menu option corresponding to the displayed 2D image on the display

device if the signal received by the signal reception device is a confirmation signal.

Although Mou, (fig. 8 and abstract where menu options are selectable) teaches the

menu options are selectable he does not explicitly teach the corresponding functions

are performed. At the time of the invention, one who is skilled in the art would understand this to be an inherent feature of icon driven menus. To provide a reference, Karkkainnen does teach this (Karkkainnen col 5 par 6 and col 6 par 1 whereupon pressing the enter key of the portable telephone - the menu item can be entered is interpreted to mean the corresponding functions are performed).

Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Karkkainnen's system supporting a confirmation selection and corresponding function performed in combination with Mou's system.

The motivation would have been to provide an unambiguous user interface whereby the intended icon's corresponding function is entered. (Karkkainnen, col 2 par.5).

As per claim 10, Mou as modified teaches the method of menu browsing for a mobile phone as claimed in claim 9, further comprising the step of linking an option page corresponding to the displayed 2D image on the display device if the signal received by the signal reception device is a confirmation signal. Although Mou, (fig. 8 and abstract where the 2D options are selectable) teaches the menu options are selectable he does not explicitly teach linking to the corresponding option page.

At the time of the invention, one who is skilled in the art would understand this to be an inherent feature of icon driven menus. To provide a reference, Karkkainnen does teach this (Karkkainnen col 5 par6 and col 6 par1 whereupon pressing the enter key of the portable telephone - the menu item can be entered is interpreted to mean the corresponding link is entered).

Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Karkkainnen's system supporting a confirmation selection and corresponding function performed in combination with Mou's system.

The motivation would have been to provide an unambiguous user interface whereby the intended icon's corresponding function is entered. (Karkkainnen, col2 par.5).

As per independent claim 16, Mou teaches a system of menu browsing for a mobile phone, comprising: a display device (Mou, col 1 par3 where monitor of cell phone is interpreted to mean a display device);; a data storage device (Mou, fig 8 and co11, par. 4 where stored in bmp format is interpreted to mean a data storage device) having a plurality of 2D images arranged in a circular sequence, (Mou fig 8 shows a circular sequence and fig 6 and col2 item (8) where the 2D graphics are named in hexadecimal 4-digit by following the sequence is interpreted to mean that the images are arranged in sequence) the 2D images corresponding to a plurality of menu options of the mobile phone, (Mou fig 8 discloses the 2D images correspond to a plurality of menu options such as phonebook, messages, call records, service, etc.) wherein the 2D images arranged in the sequence compose a 360°-scene; Mou does not teach wherein the 2D images arranged in the sequence compose a 360° scene. However Ito does teach this[0015-0016, 0053-0054] arrangement of menu options interpreted to mean 2D images are displayed on the screen as a room structure whereby two or more menus are displayed on the floor, head lining, and or walls of a pentagonal room where a user can navigate through a plurality of pentagonal rooms is interpreted to mean a 360° scene). Therefore, at the time of the invention it would have been obvious to a person of

ordinary skill in the art to use Ito's arrangement in Mou and Saito's system. The

motivation would have been easier visualization of menu options (Ito, par. 0082)

a signal reception device <u>adapted</u> to receive a signal; (Mou, abstract where the existing

animation option is reduced and quits is interpreted to mean the phone has a signal

reception device which enables the processor to stop displaying the animated image

when a user is browsing to the left or right of that option), and a processor <u>adapted</u> to

perform menu browsing operations, (Mou, col 1 par 4 where displayed in LCD of the

cellular phone using a clipboard technique is interpreted to mean there is a processor

adapted to performing the menu browsing) <u>including</u>:

designating one of the <u>2D</u> images; displaying a predetermined number of <u>2D</u> images

after the designated <u>2D</u> image in the circular sequence (Mou fig 8 discloses a

predetermined number of 2D images between options and the 2D images are arranged

in a circular sequence) in order on the display device if the signal received by the signal

reception device indicates a first direction; (Mou discloses with fig 8 the bi-directional

arrows indicating the display is capable of a first direction) displaying the predetermined

number of <u>2D</u> images (Mou fig 8 where there are a certain number of 2D images

between options) before the designated <u>2D</u> image in the circular sequence (Mou, fig 8

circular sequence) in order on the display device if the signal received by the signal

reception device indicates a second direction; (Mou, teaches bi-directional browsing in

figure 8 bidirectional arrows and abstract where icons entering from the left or right into

the central area is interpreted to mean bi-directional browsing) Furthermore Mou does

not expressly disclose the use of 3D images (clarified from argument ii Applicant

amended claims to explicitly state 2D images rather than 3D. Since 3D images are 2D

images displayed to give the illusion of 3D the previous rejection is still maintained.)

However, Saito does teach this (Saito, paragraph 0050 where the three dimensional

image is made applicable to selection and paragraph 7.effectiveness where three

dimensional arrangement of the different images implies a three-dimensional image

view). Therefore, at the time of the invention it would have been obvious to a person of

ordinary skill in the art to use Saito's three-dimensional images in Mou's system. The

motivation would have been to make the images more user friendly (Saito, paragraph

0057, 0205).

and performing a function of the menu option corresponding to the

2D image displayed on the display device if the signal received by the signal reception

device is a confirmation signal. Although Mou, (fig. 8 and abstract where options are

selectable) teaches the menu options are selectable he does not explicitly teach the

corresponding functions are performed. At the time of the invention, one who is skilled

in the art would understand this to be an inherent feature of icon driven menus.

However to provide a reference, Karkkainnen does teach this (Karkkainnen col 5 par6

and col 6 par1 whereupon pressing the enter key of the portable telephone - the menu

item can be entered is interpreted to mean the corresponding function is performed).

Therefore, at the time of the invention it would have been obvious to a person of

ordinary skill in the art to use Karkkainnen's system supporting a confirmation selection

and corresponding function performed in combination with Mou's system.

The motivation would have been to provide an unambiguous user interface whereby the intended icon's corresponding function is entered. (Karkkainnen, col2 par.5).

6. Claims 6 and 14 are cancelled

Action is Final

7.   **THIS ACTION IS FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. M. Herbst whose telephone number is (571) 270-5132. The examiner can normally be reached on Monday - Thursday from 9:00 AM to 4:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Wiley can be reached on (571)272-3923. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

rmh

/David A Wiley/

Supervisory Patent Examiner, Art Unit 2174